

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)
Anthony V. Vassil and Joyce L. Vassil,) Bankruptcy No. 09 B 31570
) Chapter 7
Debtor.)
) Judge Donald R. Cassling

NOTICE OF MOTION

TO: See Attached Service List

PLEASE TAKE NOTICE that on **August 8, 2014**, at the hour of **10:30 a.m.**, or as soon thereafter as counsel may be heard, I shall appear before the Honorable Donald R. Cassling or before any other judge sitting in his place and stead in Courtroom 240 of the Kane County Courthouse, 100 South Third Street, Geneva, Illinois, and shall then and there present the attached **Application of InnovaLaw, P.C. for Final Allowance of Compensation and Reimbursement of Expenses as Counsel for Initial Trustee David E. Grochocinski**, a copy of which is hereby served upon you.

Kathleen M. McGuire
InnovaLaw, P.C.
1900 Ravinia Place
Orland Park IL 60462
Tel. (708) 675-1975
Fax: (708) 675-1786

CERTIFICATE OF SERVICE

I, Kathleen M. McGuire, an attorney, certify that I caused a copy of the foregoing Notice and Motion to be served on the parties listed on the attached service list by electronic notice through the CM/ECF filing system, or by first class mail by depositing same with the United States Postal Service, Orland Park, Illinois, postage prepaid, prior to 5:00 P.M., this 18th day of July, 2014.

/s/ Kathleen M. McGuire

In re - Vassil, 09 B 31570
Service List

Service through the CM/ECF filing system:

Office of the United States Trustee: USTPRegion11.ES.ECF@usdoj.gov
Charles W. Dobra: [cwardobra@dobralaw.com](mailto:cwdobra@dobralaw.com), Eileen_powers@sbcglobal.net
Scott J. Kofkin: skofkin@sbcglobal.net
Gina B. Krol: gkrol@cohenandkrol.com, gkrol@ecf.epiqsystems.com,
pmchugh@cohenandkrol.com, jneiman@cohenandkrol.com
Linda Y. Siu: lsiu@atty-pierce.com, northerndistrict@atty-pierce.com

Service by U.S. Mail:

Anthony and Joyce Vassil
2 North 31 Diane
Glen Ellyn, IL 60137

Ford Motor Credit Company LLC
P.O. Box 6275
Dearborn, MI 48121

JP Morgan Chase Bank, N.A.
AZ1-1191
201 N. Central Ave.
Phoenix, AZ 85004

Recovery Management Systems Corporation
25 SE Second Avenue Suite 1120
Miami, FL 33131

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
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IN RE:)
Anthony V. Vassil and Joyce L. Vassil,) Bankruptcy No. 09-31570
) Chapter 7
Debtors.)
) Judge Donald R. Cassling

**COVER SHEET FOR APPLICATION FOR FINAL
ALLOWANCE OF PROFESSIONAL COMPENSATION**

Name of Applicant: InnovaLaw, P.C.

Authorized to Provide
Professional Services to: David E. Grochocinski, as initial trustee for the chapter 7
estates of Anthony V. Vassil and Joyce L. Vassil

Date of Order
Authorizing Employment: October 30, 2009, effective October 13, 2009

Period for Which
Compensation Is Sought: October 22, 2009 through July 16, 2014

Amount of Fees Sought: \$10,353.25 (fees of \$12,353.25 less reduction of \$2,000.00)

Amount of Expense
Reimbursement Sought: \$459.73

This is an Interim Application _____ Final Application X

If this is not the first application filed herein by this professional, disclose all prior fee applications:

<u>Date</u> <u>Filed</u>	<u>Period</u> <u>Covered</u>	<u>Total Requested</u> <u>(Fees & Expenses)</u>	<u>Total Allowed</u> <u>(Fees & Expenses)</u>	<u>Fees & Expenses</u> <u>Previously Paid</u>
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None.

None.

Date: July 18, 2014

By: /s/ Kathleen M. McGuire

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)	
Anthony V. Vassil and Joyce L. Vassil,)	Bankruptcy No. 09 B 31570
)	Chapter 7
Debtors.)	
)	Judge Donald R. Cassling

**APPLICATION OF INNOVALAW, P.C. FOR FINAL ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES AS COUNSEL FOR
INITIAL TRUSTEE DAVID E. GROCHOCINSKI**

Now comes Kathleen M. McGuire and InnovaLaw, P.C. (collectively, the “Applicant”), counsel for David E. Grochocinski, the initial chapter 7 trustee (the “Initial Trustee”) of the bankruptcy estates (collectively, the “Estate”) of Debtors Anthony V. Vassil and Joyce L. Vassil. (the “Debtor”), and pursuant to 11 U.S.C. § 330 and Fed. R. Bankr. P. 2016, submits this First and Final Application for Allowance of Compensation and Reimbursement of Expenses (the “Application”) for professional services rendered as attorneys to the Initial Trustee.

Background

1. The Debtors commenced this case by filing a petition for relief under chapter 7 of the Bankruptcy Code on August 27, 2009.
2. On October 30, 2009, the Court entered an order authorizing the retention of Grochocinski Grochocinski & Lloyd, Ltd. (“GGL”) as attorneys for the Initial Trustee, effective October 13, 2009 (the “Retention Order”). A copy of the Retention Order is attached hereto as Exhibit A.
3. Since June 2012, Innova has employed the GGL attorneys retained to represent the Initial Trustee.

4. On April 16, 2014, the Initial Trustee resigned and Gina B. Krol was appointed successor trustee (the “Successor Trustee”).

5. Before the Initial Trustee’s resignation, Applicant expended substantial time and resources in rendering legal services to the Initial Trustee.

6. This is Applicant’s first and final request for compensation as attorneys for the Initial Trustee. Applicant has not previously received any compensation in this case.

Services Rendered and Amount Requested

7. Between October 22, 2009 and July 16, 2014 (the “Application Period”), Applicant expended 55.55 hours of time in providing services to the Initial Trustee. Applicant’s billing records reflect charges of \$12,353.25 for its services at its customary billing rates as follows:

Attorney or Paralegal	Hours	Total
Michael A. Phelps (MAP)	37.45	\$8,426.25
Ariane Holtschlag (AH)	14.4	\$3,315.00
Kathleen M. McGuire (KMM)	1.2	\$424.50
Kristine Hubert (KH)	2.5	\$187.50
Total:	55.55	\$12,353.25

8. The legal services provided by Applicant are divided into the following categories:

(i). General Administration: Applicant expended 13.85 hours in connection with the administration of the Estate. Work in this category included the preparation and presentation of motions to employ professionals, including accountants, a business valuation expert and counsel for the Estate. Time was also expended in the preparation and presentation of several motions to extend the time for objecting to discharge and an objection to a proof of claim. Time charges in this category include 2.0 hours of work on this fee petition.

Attorney	Hours	Rate	Total
MAP	8.55	\$225.00	\$1,923.75
AH	1.6	\$225.00	\$360.00
KMM	.5	\$310.00	\$155.00
KMM	.7	\$385.00	\$269.50

KH	2.5	\$75.00	\$187.50
Total:	13.85		\$2,895.75

(ii). Motion to Authorize Trustee to Sign Bonds: Applicant expended 1.5 hours in connection with the preparation and presentation of a motion to authorize Trustee to sign Series E Bonds on behalf of Debtor Joyce Vassil.

Attorney	Hours	Rate	Total
AH	.5	\$225.00	\$115.50
MAP	1.0	\$225.00	\$225.00
Total:	1.5		\$337.50

(iii). Sale of Interest in Restaurant: The principal asset of the estate was Debtor Anthony Vassil's 50 percent indirect ownership interest in a fast food restaurant located in Winfield, Illinois. The Debtors valued their interest in the corporate owner of the restaurant at \$0.00 in their bankruptcy schedules, and the restaurant's co-owner filed a motion to compel the Trustee to abandon the estate's interest in the stock of the corporation (the "Motion to Compel Abandonment"). A copy of the Motion to Compel Abandonment is attached hereto as Exhibit C. While there were factors diminishing the net value and the salability of the stock, the Trustee concluded that the restaurant had value as a going concern.

Applicant expended 40.2 hours in connection with the work done in this matter. Counsel spent time in the gathering and review of financial statements and market analysis regarding the business, and several Rule 2004 examinations were taken. Ultimately, Applicant negotiated a settlement and prepared and presented a motion for approval of a settlement that vested ownership of the restaurant in the Debtors and the co-owner.

Attorney	Hours	Rate	Total
MAP	27.9	\$225.00	\$6,277.50
AH	10.8	\$225.00	\$2,430.00
AH	1.5	\$275.00	\$412.50
Total:	40.2		\$9,120.00

(iv). Voluntary Reduction of Fee Request: Much of the work in this case was performed by Michael A. Phelps, a former Innova associate who left the firm around August 2010. As a consequence of Mr. Phelps' departure, the associate who assumed responsibility for the case expended significant time in familiarizing herself with the underlying facts of the dispute concerning the restaurant's value. Taking into account that duplicative services were rendered, and that Mr. Phelps at times did not bill in one-tenth of an hour increments, Applicant has voluntarily reduced its fee request by \$2,000.00.

9. A detailed summary of Applicant's services during the Application Period and related charges for those services is attached hereto as Exhibit C.

10. All fees for which allowance is sought were incurred in connection with Applicant's representation of the Initial Trustee and were reasonable and necessary to effectively assist the Initial Trustee in the administration of the Debtor's estate.

11. Expenses. Attached to this application as Exhibit D is an itemized statement of the actual and necessary expenses incurred by Applicant during the period October 22, 2009 through July 16, 2014, and for which reimbursement is sought. Those expenses, which total \$459.73, were actually and necessarily incurred in order to assist the Initial Trustee in his administration of the Estate.

12. Applicant seeks allowance of its fees and expenses as a chapter 7 administrative expense under 11 U.S.C. § 503(b), payable as funds are available to do so in the discretion of the Successor Trustee.

Other Disclosures under Fed. R. Bankr. P. 2016

13. At all times during Applicant's representation of the Initial Trustee, Applicant was a disinterested person and neither represented nor held an interest adverse to the Estate with respect to the matters on which Applicant was employed.

14. No agreement or understanding exists between Applicant and any other entity for the sharing of compensation received or to be received for services rendered in or in connection with the case, other than compensation that has been or will be approved by the Court upon the applications of other professionals employed to represent the Initial Trustee in this case.

InnovaLaw, P.C. Biographical Information

Michael A. Phelps is a former Innova associate who graduated from Loyola University School of Law in 2008. Since that time Mr. Phelps has practiced in the fields of creditor rights and mortgage foreclosure law. Mr. Phelps is admitted to practice in the State of Illinois and the United

States District Court for the Northern District of Illinois.

Ariane Holtschlag is a former Innova associate who graduated from the University of Iowa School of Law in 2007. She has devoted most of her practice to bankruptcy law since that time. Ms. Holtschlag is admitted to practice in the State of Illinois and the United States District Courts for the Northern and Central Districts of Illinois, as well as the Trial Bar of the Northern District of Illinois. Ms. Holtschlag is the author of several articles published in the American Bankruptcy Journal, and she frequently lectures on bankruptcy-related topics.

Kathleen M. McGuire graduated with honors from IIT Chicago-Kent College of Law in 1988, and has practiced exclusively in the fields of bankruptcy and federal civil litigation since that time. Ms. McGuire is admitted to practice in the State of Illinois and the United States District Courts for the Northern and the Central Districts of Illinois, as well as the Trial Bar of the Northern District of Illinois. Between 1988 and 2004, Ms. McGuire served as a law clerk to a number of judges in the Bankruptcy Court and District Court. In private practice, she has represented chapter 7 trustees, debtors and creditors in a wide variety of matters in the Bankruptcy Court and in appeals to the District Court. Before receiving her law degree, Ms. McGuire practiced as a certified public accountant.

Kristine Hubert is a paralegal with Innova. Ms. Hubert holds a degree in paralegal studies and has substantial training and experience in bankruptcy matters.

Conclusion

Kathleen M. McGuire and InnovaLaw, P.C. request that the Court enter an order allowing a final award of professional compensation in the amount of \$10,353.25 and reimbursement of expenses of \$459.73, payable as an administrative expense under 11 U.S.C. § 503(b) as funds are available to do so in the discretion of the Successor Trustee.

Respectfully submitted,
InnovaLaw, P.C.

By: /s/ Kathleen M. McGuire
One of the attorneys for Initial Trustee
David E. Grochocinski

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